Scaccia fights DA at polls, not on witness stand

By LANNY THOMAS

District attorney candidate Ross Scaccia had a golden opportunity to open fire on incumbent Jim Garrison yesterday, but he didn't.

Scaccia, a former assistant DA under Garrison, testified for the DA at his pinball bribery trial.

He didn't throw bouquets at Garrison, but neither did he suggest that the DA had corrupted his office—a familiar ring in election year politics.

"Did I ever ask you to do anything improper?" asked Garrison as he began the questioning.

"No," said Scaccia, "but once you came to me with a case involving shotguns. After reviewing the case I sent it back with a note saying you're in bad shape. I said you hadn't seen the facts."

SCACCIA SAID Garrison then reviewed the case and returned a note, saying: "You're right. Proceed with prosecution 100 per cent."

Scaccia was one of several witnesses called by Garrison yesterday as he attempted to prove that his office prosecuted cases vigorously.

The DA is on trial with two others for conspiracy to obstruct law enforcement by giving and taking bribes to protect pinball gambling.

Scaccia, on the other hand, testified that Pershing O. Gervais tried to bribe him on two occasions when Gervais was working as an investigator for Garrison around 1966.

He said the first time Gervais approached him he offered him money to help fix a case. "I told him no way," said Scaccia.

LATER, SAID Scaccia, Gervais came to him with a specific case and offered to split $500 with him if he would refuse to accept it for prosecution.

"I laughed at him," said Scaccia. He said the case then was prosecuted.

On cross examination, Scaccia testified he never filed charges against Gervais for those incidents.

"Why?" asked U.S. Atty. Gerald J. Gallinghouse.

"IT WAS a head to head situation and difficult to prove," he said. "I just told Gervais to hit the road."

Scaccia then was then asked if he told Garrison about the offers.

"No. I did not," he replied. "Have you ever tried to reach Garrison? He's a hard person to find."

Gallinghouse asked Scaccia when he first informed Garrison of the bribe offers.

His answer: "Just a few minutes ago in the hall.

Gallinghouse again: "Did you ever tell any of the other assistants?"

Raising his voice in anger at Gallinghouse's persistence, Scaccia answered: "I probably told a couple. I don't remember. I told my wife. That's about it."

GALLINGHOUSE was trying to show that the DA's office was lax in its prosecution cases — particularly bribery and pinball offenses.

Scaccia, who testified without subpoena, explained his reasons for being a witness for a political opponent.

"He asked me to come down here and I didn't want to because I am running against him. But he wanted me to testify and I told him I would. I warned him that I was going to be under oath and I would have to tell about bribes if they came up."

He said Garrison made no effort to influence his testimony when he told him about the bribes.